

PROCTOR TO LEGISLATURE

Expresses His Appreciation of Honor Conferred

NEW BILLS IN THE HOUSE

Deer Hunters' License Bill and Bill Repealing Bounty on Noxious Animals Pass Senate.

Montpelier, Oct. 19.—At noon today, in the presence of both branches of the Vermont legislature which re-elected to the United States Senate for the fourth time to succeed himself and before a available space in the gallery, lobby and aisles of Representatives Hall, Redfield Proctor of Proctor was presented to take the oath of office, after having been formally notified of his election. It was the crowning event of the legislative week which can be called "election week."

After being presented to the joint assembly Senator Proctor said: "Mr. President and Gentlemen of the General Assembly: I thank you most sincerely for your hearty reception. To serve the state of Vermont in any capacity is no small honor. To be repeatedly called to such service adds thereby in tenfold measure. The history of Vermont from her earliest days has been such as to give those who serve her without her borders an honorable prestige at the outset. The record made by my predecessors in Congress has justified this prestige. This, while it adds to the honor of the selection of their successors, also adds to their responsibilities. It makes it incumbent upon them not only to foster and protect the interests of the state, but to show themselves in every respect worthy of the high trust confided to them from such a source."

Since my last election Senator Morrill, a man of whom it is impossible to speak in fitting terms of love and praise, has passed to the greater senate of the world beyond. For nearly ten years of my stay in Washington I had his wisdom and experience to lean upon, and he always gave me in full measure his friendship and counsel. No father could be more considerate of a son's welfare than he was of mine. Through several years have passed since his decease, the memory of that grand man will ever be freshly cherished by the people of the state and nation he loved and served so well. And it may not be out of place to speak of the high character and ability of my colleagues from Vermont, past and present, in both senate and house, and to say that there has not been, and is not now, the least friction, bickering or division in the Vermont delegation. All have been and are united in their devotion to the interests of the state.

The House vote for United States Senator yesterday showed a party division. Proctor had 207 votes and Senator 21, leaving eight not present or not voting. Proctor was declared elected and a mere formality was gone through. Deer hunters in Vermont should follow legislation on the killing of deer. Yesterday the committee on game and fisheries reported favorably on the bill requiring deer to have horns three inches in length before they can be shot. Hunters who blaze away and then look for horns will be more careful if the bill becomes a law.

Old, unkempt and straggly of beard, a man presented himself at the State House yesterday as a candidate for United States Senator. He didn't care whether he opposed Senator Proctor or anyone else so long as he could be elected to the Senate. He went first to the Secretary of State's office and asked for a "certificate of election." There he was referred to the State Treasurer's headquarters. Not receiving the desired certificate he was directed to the sergeant-at-arms office. He could not be supplied by Sergeant-at-Arms Brock and so he went the rounds of the various offices in the State House. At last reports he was still looking. The individual is a harmless old fellow who hails from Shrewsbury and who makes biennial visits to Montpelier in search of an election. This is the second visit during the present session, however. The first time he wanted to be governor but found that office already filled. Then he wanted to be United States Senator.

COMPANY D AHEAD. Made Score of 400 Out of Possible 600 at Rifle Range. Burlington, Oct. 19.—Teams of 12 men each, representing every company in the Vermont National Guard, began yesterday at the range at Fort Ethan Allen the competitive shoot for the centennial trophy cup. The details from the various companies arrived at different hours during the forenoon, but it was not until after 12 o'clock that the shooting began. In all about 220 men are in camp.

The shooting at the 200 yards range was completed yesterday and at the close Company D of St. Johnsbury was in the lead with a total of 400 points out of a possible 600. Company B of St. Albans was a close second with a score of 399 and Company E of Barre was third with a score of 398. Company E now holds the cup.

The highest individual score was made by Major Dyer, who made 45 out of a possible 50. Captain Pilotson of St. Albans made 42, as did Private Bert Lachance of Company H of Montpelier. Capt. P. J. Rogers of Barre, Private Detolaine of Montpelier and Lieut. J. C. Holden of Clarendon each made 41.

Today the companies will finish the shoot for the centennial trophy and for the second battalion cup. The shooting will be from the ranges at 500 and 600 yards and will begin this morning promptly at seven o'clock. On Thursday the individual prizes will be awarded. A medal is offered by the National Rifle Association and a strong competition for that is assured.

imprisonment not more than a year and fine of not more than \$1000. Killing, for sale, a calf less than four weeks old, punished by imprisonment not over 30 days or fine of not over \$50, or both. Health officers to inspect carcasses of animals slaughtered for food, and of all other articles intended for food, with power to destroy all found unfit for consumption. Unwholesome meat or provisions or adulterated articles shall be declared nuisances. Druggists to keep record of sales of arsenic, opium, morphine and similar drugs, showing kind and quantity sold and to whom sold, under penalty of not over \$100. This last provision not to apply to legally qualified practitioners of medicine. The sale of woven fabric or paper containing poisonous substances punished by fine of not over \$100, his not applying to dress goods or other material containing industrial quantity of such substances. Prohibits sale of adulterated candy. State board of health to adopt such regulations as necessary to enforce the provisions of this act, and violations thereof punished by fine of not over \$500. Justices to have concurrent jurisdiction with county court. Standard of purity for food products to be that of U. S. Dept. of Agriculture. State board of health shall inaugurate proceedings for violations, and may sue and use of certain preservatives at their discretion.

Other bills are, by Mr. Chedel of Stockbridge, providing for plurality election of representatives on the fourth ballot; by Mr. Crane of Brookfield, providing that children attaining school age after fall term begins may enter school at the beginning of the spring term, when school begins; by Mr. Gates of Morris-town, requiring students of public and private schools having more than 50 pupils to be instructed in fire drill.

In the Senate. Senator Carpenter of Rutland introduced today a bill enlarging powers of the state board of health. The bill providing for the licensing of deer hunters passed the Senate. The Senate also passed the bill repealing the bounty on noxious animals.

LEGISLATIVE NOTES. The bill incorporating the Virginia club of Barre passed the House this morning.

Mr. Waite's bill to allow intoxicated person to be arrested without warrants deserves to go through.

Students of the Randolph Normal School filled the House gallery this forenoon and listened to the sayings of the law makers.

Senator Pierce of Windham county, M. F. Shipman of Waterbury and Mr. Fay of Williston are the committee to draw up new by-laws for the farmers' organization.

The bill amending the charter of Goddard seminary so that the endowment fund limit is raised to half a million dollars, passed the House yesterday, after having been reported favorably by the committee on corporations.

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A DRAWN BATTLE

Japanese and Russians Gain and Lose

FACE EACH OTHER AT RIVER

But Neither Wants to Cross to Other Side—Neither Side Is Gaining Any Advantage.

Tokio, Oct. 19.—A despatch received in official quarters this morning says Field Marshal Oyama's army is still face to face with Kuropatkin's forces. The Japanese are on one side of the Shabke river and the Russians on the other.

It is officially stated that the hand bombs recently adopted by the defenders of Port Arthur have been effective and have caused considerable loss of life in the Japanese ranks.

ALL QUIET. So Reports General Kuropatkin to the Czar.

St. Petersburg, Oct. 19.—In official circles it is believed that the Japanese have reached the limit of their advance and that the latest actions have assured the safety of Mukden. Under the date of Oct. 18, General Kuropatkin telegraphs the Czar:

"During the night the Japanese attacked our advanced positions at Lone Tree Hill, but were repulsed. There are no reports of any other engagements up to 10 o'clock this morning. Everything is quiet at all of our positions. Rain fell last night, which much affected the roads."

Word has been received here that the Japanese fire at Shabke river is weakening, owing to an insufficient supply of projectiles.

It is stated that the Japanese are burning large supplies of stores.

The Russian front has advanced toward Leushanpu.

CONQUER OR DIE. Rome, Oct. 19.—The Giornale di Roma says General Kuropatkin has wired the Czar as follows: "We literally execute your orders and conquer or die."

GRAHAM'S ANSWER. Still Believes Vouchers Are Not Public Records—Reply to Clement.

Montpelier, Oct. 19.—State Auditor E. F. Graham has filed at the county clerk's office an answer to the amended petition of Percival W. Clement. He says that he is auditor of accounts for Vermont and that it is his duty to require the itemizing of bills and that they be accompanied with vouchers; but he denies "on information and belief" that it is his duty to exhibit said vouchers to citizens and tax payers of the state upon their request. He states that to examine the vouchers because he believes they are not public records and he has no right to exhibit them in any other manner than is prescribed by law.

The auditor says that on several occasions he has "at great trouble, inconvenience and expense" furnished Clement numerous and extensive data. He further states that on the occasions mentioned he did not refuse the petitioner full and free access to all the records in the office, and did exhibit them. But he did refuse to show up the vouchers made for the reason above given and also because he was busy completing his biennial report, and that his files, well arranged, might have been disarranged by the examination of "every curious and inquisitive citizen and taxpayer who might, from idle curiosity or otherwise, desire to examine the same." They would not then be in shape for the examination of the legislative committee.

He says vouchers and files are not public records, and furthermore declares that Clement might have made an investigation of alleged negligence by other means.

LOU DILLON LOST. Gave Major Delmar No Contest in Last Trial for Memphis Cup.

Memphis, Tenn., Oct. 18.—C. K. G. Billings' Lou Dillon, the champion trotting mare, went down to defeat today before Major Delmar, owned by E. E. Smathers, in the third and last contest for the Memphis gold cup, the feature of the opening day of the Memphis Trotting association meet. After starting a terrific pace to the three-quarter mile in the first heat, it was apparent that the mare was in bad condition and she was pulled up. Major Delmar winning in a jog. Veterinary surgeons pronounced the mare affected by an ailment known as the "thump." However, Lou Dillon was again brought out on the track by Mr. Billings, who announced that he would start the mare in the second heat. Major Delmar rounded the course in easy time. Lou Dillon following at a slow trot. Mr. Smathers, representing the New York Driving Club, becomes the permanent owner of the cup.

Major Delmar, 1 1 Lou Dillon, 2 2 Time, 2:07, 2:18 1/2.

LICENSES REVOKED

The Commissioners Act in Rutland

IN CASES OF DRUGGISTS

Only One License Was Granted by Commissioners—the Others by the Aldermen.

Rutland, Oct. 19.—The license commissioners today revoked the fifth class licenses held by J. J. Truedell, John H. Dugan and T. A. Clifford as druggists. The license held by John H. Dugan was the only one granted by the commissioners, the others having been granted by the board of aldermen. It is not expected they will pay any attention to the action of the commissioners, claiming they have no authority to revoke the licenses.

EVEN MORE SUCCESSFUL. Woodmen's Fair at Hale's Pavilion Attracted Big Crowd.

There was an increase in attendance at the Woodmen's fair last evening and everything was even more successful than the first night. A very interesting entertainment was given and the dance floor was well filled with dancers during the evening.

The drill given by the Woodmen's team which has always been a most popular attraction was never given in better shape than last evening. The drill was given after a very pleasing piano solo by Miss Ivis Averill. The team was commanded by Chief Forester A. L. Gravin. The forty-five minutes which it took to go through with the drill were minutes of much pleasure to the audience.

The sixteen members of the team are as follows: Gilbert Phillips, Alfred Robertson, Leslie Wright, Thomas Doble, Thomas McDonald, Robert Kerr, Alex. Cordeiro, O. D. Cyr, George Milne, Charles Jacques, John Jaffrey, Charles Kenyon, Wilfred Marston, Edward Anderson, Roy Livingston, John Merritt.

GODDARD WON FROM ROCKLAND. Made Two Touchdowns at West Lebanon Yesterday—Goddard Had the Stronger Team.

West Lebanon, Oct. 18.—The Rockland Military academy lost to Goddard seminary on the grounds here this afternoon by two touchdowns made in the first half. In the second half Rockland got the ball on its own ten-yard line and carried it to the opponents' fifteen-yard line but was not strong enough to carry the ball over. The game went to the stronger team. It was clean and hard fought throughout. Score 10 to 0.

ROCKLAND Booth, 10; Chase, 10; White, 10; Brown, 10; Bennett, 10; Hazen, 10; Briggs, 10; Jones, 10; Knapp, 10; Reynolds, 10; Martin, 10; Ward, 10; Dunham, 10; Sanborn, 10; Turner, 10; Getman, 10; Cannell, 10; Devauxes, 10.

LAND DAMAGES OF \$900. Awarded by Court's Commissioner in Prospect Street Cases.

The court's commissioner which heard the appeals on the awards by the city for land taken in widening Prospect street, has made its findings. Three petitioners were heard, Mrs. Martin, Mrs. S. J. Jones and Page Bros. The city awarded Mrs. Martin \$75, Mrs. Jones \$90 and Page Bros. \$120. The court's commissioner awards them \$300 each, which is quite an increase over the city awards.

IN COUNTY COURT. Montpelier, Oct. 18.—County court met at two o'clock today and three divorce cases were disposed of. The first was the one of Arthur Wells against Caroline Wells, W. N. Theriault appearing for the petitioner. A decree was granted on the grounds of wilful desertion. William Holbard was granted a divorce on similar ground from Ida Hubbard. E. P. Carleton appearing for the petitioner. Georgianna Mitchell of Barre was granted a divorce from William Mitchell on the grounds of intolerable severity and non-support and she was granted a small piece of land as permanent alimony.

TWO KILLED. In a Rear End Railroad Collision in Ohio.

Wellsville, Ohio, Oct. 19.—In a rear-end collision on the Cleveland and Pittsburg railroad this morning near Alliance Fireman Mesner and Brakeman Lally were killed and one other fireman was injured. Twelve cars were wrecked.

U. S. Court Adjourns. Rutland, Oct. 19.—Judge Wheeler this morning suddenly declared the session of the Federal court adjourned to February 7 because the lawyers were tardy in getting their cases ready.

Frederick Bartlett and Carl Atwood, both of Rutland, were sentenced to the House of Correction this morning for keeping with intent to sell.

MORE-PERRY. Daughter of Mr. and Mrs. James M. Perry Married to James Gould More.

Miss Edna Duleina Perry, daughter of Mr. and Mrs. James M. Perry, and James Gould More were united in marriage last evening at 8:30 o'clock by the Rev. W. A. Kinzie, at the bride's home on Elm St. Seventy-five persons witnessed the ceremony. The bride was dressed in mesaline silk, made over white tulle and carried bride's roses. She was attended by Miss Lucy E. Cummings. The maid of honor was gowne in pink and carried pink roses. J. Frank Perry, a brother of the bride, acted as best man. The wedding march was played by Miss Mabel Nelson of Burlington. The decorations of the room were in green and white.

Following the ceremony and after congratulations had been extended to the bride and groom, a delightful wedding supper was served. Mrs. Mason T. Paige, who had charge, was assisted by six young ladies, Misses Bertha Pike of Montpelier, Alice Pape, Bell Chandler, Carrie Draper, and Helen Marsh of this city and Isabel Martin of South Royalton.

Mr. and Mrs. More left last night on a wedding trip in Massachusetts and New York. After November 15 they will be at home at their new residence, 58 Tremont street. Mr. More is a well known granite buyer, and both have a large number of friends.

McMILLAN—WOOD. Quiet Home Wedding on Currier Street This Forenoon.

Charles W. McMillan, Jr., of the granite firm of C. W. McMillan & Son, and Miss Lizzie Wood, were quietly married at the home of the bride on Currier street at 10 o'clock this forenoon, in the presence of only a few of the immediate friends and relatives. The ceremony was performed by Rev. T. H. Mitchell. The bride was attended by her sister, Miss Marguerite Wood, and the groom by Duncan McMillan, a cousin. The bride was handsomely attired in a gown of white silk laundowne and carried bride's roses; the bridesmaid wore a dress of white French muslin.

After the ceremony lunch was served and Mr. and Mrs. McMillan took the noon train for a two weeks' wedding trip to Boston and other points. On their return they will reside on Brook street.

The bridegroom is one of the best known young men of the city and a member of the prosperous granite manufacturing firm of C. W. McMillan & Son. The bride has worked at Mayor Bradley's home for a number of years.

McLOUGHLIN—THOMPSON. Well Known Teacher Married at Graniteville Yesterday.

Graniteville, Oct. 19.—Mary Agnes Thompson, and Michael McLoughlin, were married yesterday afternoon at the home of the bride's parents, Mr. and Mrs. George W. Thompson, Rev. Fr. Daigenault performing the ceremony. The bride is a graduate of Goddard seminary and has taught in the Barre city schools. She is a well known and popular woman.

Mr. and Mrs. McLoughlin left immediately on a wedding trip, and on their return will probably reside in Williamstown.

Sheehan-Murphy. Graniteville, Oct. 19.—A very pretty wedding occurred at St. Sylvester's church yesterday morning when Anita Sheehan, daughter of Mr. and Mrs. John Murphy, was united in marriage to John Sheehan by the Rev. D. Daigenault. They will reside in Graniteville after a wedding trip to Montreal.

The bride was attended by Miss Annie Murphy, her sister, and the groom by Patrick Sheehan.

FORTIETH WEDDING ANNIVERSARY. Friends of Mr. and Mrs. Asa Harrington Pleasantly Surprise Them at Their Eastern Avenue Home.

Mr. and Mrs. Asa Harrington were very pleasantly surprised last evening by about fifty of their friends and neighbors coming in unexpectedly to remind them that it was their fortieth wedding anniversary. After a social chat a musical programme was given with selections from the mandolin and piano by Mr. and Mrs. Alvah Eastman and Dr. D. C. Watt, piano solos by Misses Blanch Russell and Emily Benedict, and music from the phonograph by Elmer Holmes. Remarks were made by T. W. Russell and Mrs. C. R. Allen and letters were read by her from G. B. Harrington and wife, a brother and sister, of Princeton, Ill. Then Mrs. Benedict in a few effective and appropriate words presented Mr. and Mrs. Harrington with a large and elegant mirror. Mr. Harrington responded, after which refreshments were served. At a late hour the party separated for their homes wishing Mr. and Mrs. Harrington many happy returns.

Visited Summit Lodge. John N. Gale, Grand Warden of N. E. O. P., Merrill Russell, district deputy, and several supreme members of Barre lodge paid an official visit to Summit lodge of Graniteville last evening and were entertained in a manner which they will not soon forget. Six applications were presented and eight candidates were initiated, after which remarks were made by visiting members. Several selections were given on the phonograph and a most delicious chicken pie supper served. A delegation from East Barre was present. All spoke very highly of the manner in which the degree team did their work and also of the lodge in general.

SIDEWALKS AND CITY POOR

Were Topics of Discussion By the Aldermen

CITY PHYSICIAN PROBABLE

A Street Light Ordered for Currier and Tremont St.—Mrs. Reed's Claim Not Allowed—Central Vermont Wants Freight Paid.

The board of aldermen held a regular meeting last evening with all members being present. The business before the board was mostly of a routine nature, the most important being the matter of engaging a city physician to care for the city's poor and city employes. In this connection a communication from Dr. B. W. Braley contained much valuable advice and the charity committee was authorized to draw up a form of contract on the basis of the suggestions made by him and submit at the next meeting. If approved, the physicians of the city will be asked to submit bids on the same for the position of city physician. A vote of thanks was tendered Dr. Braley for the valuable suggestions contained in his letter.

The matter of a sidewalk on Circle street caused more or less of an animated discussion between the mayor and Alderman McKenize. The mayor asked what was being done about it and Alderman McKenize replied that it was in the hands of the property holders on Circle street to decide whether they wished a sidewalk laid enough to furnish the curbing. He thought it a waste of good money to spend between \$300 and \$400 to put in a temporary walk there. The mayor thought it would cost less, and he urged that residents of Perry street, who had furnished the curbing to be set, could wait for their walk another year. He further wanted to know by what authority the street commissioners were setting curbing on Franklin street to accommodate a few families.

Alderman McKenize stated by the authority given the street commissioners by the city charter. The mayor thought they were going beyond their authority and wanted the street commissioners to confine themselves to its provisions, to which Alderman McKenize replied that if the street commissioners were exceeding their authority, so also was the mayor.

The report of the street commissioners for the month ending Oct. 13, showed a balance of \$4,122.24 to the credit of streets which they hoped would carry them through to Jan. 1. The sidewalk account has a balance of \$190.02 and the surface sewer account \$45.58.

A resolution appropriating \$200 to the surface sewer account was read and passed to its second reading. The committee on lights recommended an arc light to be placed at the corner of Tremont and Currier streets. The report was accepted and adopted.

H. A. Rigg was granted permission to hang a sign on Pearl street. The committee on streets and city engineer reported on the claim of Mrs. Wm. W. Reid for damage from the over-throwing of a sewer, that the sewer in question was constructed for a surface sewer and was not designed for the purpose to which it had been put, therefore the city was not liable and they recommended the bill be not allowed. The report was accepted and adopted.

The street committee reported that a bill of Wood & Greigore for extra work on Brook street bridge abutments be not allowed. The report was accepted and adopted.

The Central Vermont railroad reported they had a car of grain hilled to the building committee of the new fire station which they should hold until the freight was paid. The matter was referred to the chairman of the committee.

The request of E. L. Smith to open a street to repair water pipes was referred to the street committee, as was also the request of M. C. Melver to have curbing set in front of his house on Perry street.

A. S. Martin made a request that the city water mains be extended 100 feet on Franklin street to accommodate a house of his. Referred to water committee.

A second petition for an extension of city water mains on Franklin street was referred to the water committee.

A request for a sewer extension on the same street was also referred to the street committee.

The request of Cliff Cote to hang a sign was referred to the street committee.

The matter of making corrections in the wiring of the city building to conform to insurance requirements was referred to the property committee to get estimates on the cost of making the corrections.

Inspector of Buildings F. E. Colburn reported 22 applications in September for permits to make repairs to buildings. The piazza matter of the A. Tomasi block was referred to the city attorney. The matter of cleaning up basements was referred to the inspector of buildings and city attorney. The matter of fire escapes on the city buildings was referred to the property committee and building inspector will power to act. Permission was granted the Gas Co. to run its pipes across Jail Branch tunnel.

Continued on fourth page.